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July 3, 2024

Re: *Berenson v. Biden*, No. 23-CV-3048 (JGLC) (S.D.N.Y.)

Honorable Jessica G.L. Clarke
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Dear Judge Clarke:

We represent defendants Dr. Scott Gottlieb and Dr. Albert Bourla in the above-captioned action and write on behalf of all parties in response to the Court's March 19, 2024 order. (ECF No. 71.)

The Court directed the parties "to file a joint letter with dates they are available for oral argument" on defendants' motions to dismiss within one week of the Supreme Court's decisions in *Murthy v. Missouri* and *National Rifle Association v. Vullo*. (ECF No. 71 at 1.) Following the Supreme Court's decisions in *Vullo* (on May 30, 2024) and *Murthy* (on June 26, 2024), the parties have conferred and are available for oral argument on Thursday, September 12, 2024 and Tuesday, September 17, 2024.

The parties are happy to propose other times if these options are not convenient for the Court.

Respectfully submitted,

/s/ James P. Rouhandeh

James P. Rouhandeh

cc: All counsel via ECF

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